IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH PAUSHA 1928

WP(C).No. 34276 of 2006(E)

PETITIONER:

GEORGE THOMAS, EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD,
R.M.U. DIVISION, MOOZHIYAR,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.C.KHALID
SRI.N.GOPINATHA PANICKER
SRI.R.O.MUHAMED SHEMEEM
SRI.T.P.SAJID

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVAN, PATTOM P.O.,
THIRUVANANTHAPURAM.

2. CHAIRMAN, KERALA STATE ELECTRICITY
BOARD, VYDYUTHI BHAVAN, PATTOM P.O.,
THIRUVANANTHAPURAM.

3. THE CHIEF ENGINEER (H.R.M.)
KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, PATTOM P.O.,
THIRUVANANTHAPURAM.

BY MR. K.S. ANIL, S.C., K.S.E.B.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 34276 OF 2006

Dated this the 3rd January, 2007.

JUDGMENT

The petitioner is working as Executive Engineer in the Kerala State Electricity Board. He filed application for leave without allowances vide Ext.P1. As per Ext.P5 letter issued by the Secretary of the Board to the third respondent-Chief Engineer, the application for leave without allowances has been returned stating that the same cannot be considered at present. The reason stated for not considering the application is that RMU work in Sabarigiri is in progress. The petitioner has filed Ext.P9 representation through proper channel through the Secretary of the Board followed by Ext.P10 representation dated 7.12.2006 requesting to consider his application for leave without allowances taking into consideration the change of circumstances. Having not received any communication from the respondents the petitioner has filed this writ petition.

2. Ext.P5 letter shows that though the leave application has not been rejected by the respondents, they had thought it fit to inform the petitioner that it cannot be considered as matters stood then. Therefore, the petitioner is justified in requesting that his leave application may be taken up once again for consideration,

having regard to change of circumstances. It is in the above background Ext.P10 needs to be look into. The first respondent is directed to consider Ext.P10 and pass orders in accordance with law taking into account relevant aspects. This shall be done, as expeditiously as possible, in any event, within six weeks from the date of receipt of a copy of the judgment. Writ petition is disposed of as above.

K.K.DENESAN
Judge

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